

REMARKS/ARGUMENTS

Claims 1-19 have been canceled. New Claims 20-39 are active in the case.

Reconsideration is respectfully requested.

Applicants' representative wishes to thank Examiner Nguyen for the helpful telephonic discussions concerning matters pertaining to the issues raised in the outstanding Office Action.

Specification Amendments

The specification has been amended in order to provide the same with appropriate section headings. Further, the paragraph of the text indicated on page 10 has been amended in order to correct a minor spelling error. Entry of the amendments into the record is respectfully requested.

Claim Amendments

New Claims 20-28 correspond to original claims 1-8 of the application. New Claim 29 is supported by page 19, lines 4-6 of the specification. New Claims 30-36 find support in original Claims 13-19. New Claims 37-39 find support on pages 17, 19 and 22-24 of the text. Entry of the new claims into the record is respectfully requested.

Prior Art Rejection, 35 USC 103

Claims 1-19 stand rejected based on 35 USC 103 as obvious over Takagi et al, U.S. Patent 6,447,696 in view of Walles et al, U.S. Patent 3,097,048. This ground of rejection is respectfully traversed.

Takagi et al is pertinent to the present invention insofar as it discloses a graft copolymer in which a graft monomer component (B) made up of at least N-vinylpyrrolidone

(b1) is graft polymerized onto a polymer base which is a polyether compound. In a preferred embodiment of the graft copolymer a (b2-2) monomer component such as vinylpyridine, N-vinylimidazole or 4-vinylpyridine is graft copolymerized with the (b1) monomer onto the graft polymer base. (col 4, lines 7-19 and col 5, lines 16-25). However, the field of technology of the patent is directed to the use of the graft copolymer of the patent as a scale inhibiting agent or as a detergent additive. These aspects of cleaning technology are unrelated to the technical field of the present invention which surrounds the field of the dyeing of textiles, not only to the actual dyeing of textiles, but also to post-operational procedures of dyed textiles. Thus, the copolymer of the present invention is not only useful as a leveling agent in the dyeing of textiles, but is also useful as an ingredient in post-dyeing operations of stripping, aftersoaping and afterclearing of dyed textiles.

With regard to the aftersoaping aspect of the present invention, applicants refer the attention of the Examiner to the discussion on page 2, lines 23-29 where it is mentioned that known antisoaping agents possess disadvantages in that many are known to exhibit ineffective performance, especially in the presence of Glauber's salt and/or sodium chloride in the soaping bath. There is, of course, no mention of the possible use of the copolymer disclosed in Takagi et al as an aftersoaping agent, and certainly no suggestion that the copolymer would effectively function in aqueous media containing Glauber's salt and/or sodium chloride.

Also of importance is the teaching in column 9, lines 18 et seq that the detergent additive of the patent exhibits a dye migration ratio that is usually not lower than 25 %. This inhibition effect would certainly not lead the skilled artisan to expect that the graft copolymer of the patent would effectively serve as a leveling agent (where dye migration is required as noted at page 1, lines 30-32 of the text) or as a stripping agent (where the redetaching of dye is required as noted at page 2, lines 7-11 of the text). Accordingly, since

the presently active claims are directed to methods of dyeing textiles, and the stripping, leveling and aftercleaning of textiles with other non-polyvinylpyrrolidone (co)polymer materials, the present invention as claimed in its several embodiments is believed not to be suggested by Takagi et al.

The disclosure of the cited Walles et al patent is at least more relevant to the present invention, because it discloses the use of a particular polymer as an effective agent for the stripping of dyes from cellulosic textiles. The polymer agent that is used, is solely a polyvinylpyrrolidone-like material identified as poly-N-vinyl-5-methyl-2-oxazolidinone (PVO-M), and therefore is narrowly defined. There is absolutely no teaching or suggestion of any type of other copolymer, containing nitrogen containing ring systems or not, that has the capability of functioning as an active agent in the leveling of dyes in a dyeing process or in some post-dyeing operation such as stripping, aftersoaping or afterclearing. There is no teaching or suggestion of a copolymer for a stripping operation as taught by Walles et al that contains units that are derived from at least two monoethylenically unsaturated monomers B1 and B2 each of which contains at least one nitrogenous heterocycle. The unobviousness of the present invention is believed to be supported by the comparative data presented in the examples of the present application. Example 2.1.1 discloses an embodiment of the invention in which the polymeric ingredient is a graft copolymer of a combination of vinylpyrrolidone and vinylimidazole grafted onto a polyethylene glycol which acts as a leveling agent in the dyeing of cotton cheesecloth. Comp. Ex V 2.1.2, on the other hand, employs polyvinylpyrrolidone as a leveling agent in the dyeing of cotton cheesecloth. The results in Table 1 show a superior leveling effect that is achieved with the graft copolymer of the present invention. A parallel effect is demonstrated when the same polymers are used in the role of an aftersoaping agent in the treatment of cotton cheesecloth as exhibited by the data in Table 2 of the text. Accordingly, it is clear that the cited and combined prior art does not

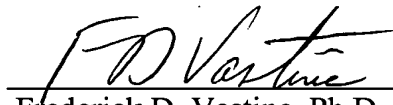
Application No. 10/537,268
Reply to Office Action of January 16, 2007

suggest the invention embodiments as claimed and withdrawal of the rejection is respectfully requested.

It is now believed that the application is in proper condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon


Frederick D. Vastine, Ph.D.
Registration No. 27,013

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)
DOCUMENT1